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Department of
Agriculture



*Forest Service
Rocky Mountain
Region*

Nebraska
National Forests
and Grasslands

September 2013

RECORD OF DECISION

FOR ALLOTMENT MANAGEMENT

PLANNING ON THE

FALL RIVER WEST GEOGRAPHIC AREA

Fall River Ranger District,
Nebraska National Forests and Grasslands
Fall River County, Nebraska

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*Record of Decision for
Allotment Management Planning on the Fall River West GA*



MIKE McNEILL
District Ranger
Fall River Ranger District
Nebraska National Forests and Grasslands
USDA Forest Service

9/25/13

Date

RECORD OF DECISION
FOR
ALLOTMENT MANAGEMENT PLANNING ON THE FALL RIVER WEST GA
USDA FOREST SERVICE
NEBRASKA NATIONAL FORESTS AND GRASSLANDS
FALL RIVER COUNTY, NEBRASKA

BACKGROUND

Nebraska National Forests and Grasslands (NNFG) personnel completed the *Final Environmental Impact Statement for Allotment Management Planning on the Fall River West and Oglala Geographic Areas*. The analysis evaluates livestock grazing on the part of the NNFG encompassed by the Oglala and Fall River West geographic areas (GAs) (see figure 1). The total project area is 211,722 acres and consists of seventy-six active cattle grazing allotments.

The purpose of the project is to determine if livestock grazing should continue to be authorized on the allotments in the project area, and if livestock grazing is to continue, how to best maintain or achieve desired conditions and meet objectives in the 2001 *Land and Resource Management Plan for the Nebraska National Forest and Associated Units* (LRMP). The project will also determine whether eight small federal parcels will be assigned to existing allotments.

This record of decision (ROD) covers the livestock grazing allotments on the Fall River West GA portion of the project area. There are 117,548 acres and forty-one allotments in the Fall River West GA. The Indian-Brush Creek and DeGering allotments are administered by the Pine Ridge Ranger District.

Antelope	Ellison Dam	Moody	Soske
Beebe-Markey	Fossil Point	Morris	Stearns
Benton	Fuchs	Mule Creek	Trotter
Cottonwood Group	Furrow	Pfister	Trotter-Coal Creek
Cow Camp	Henry	Plumb	Tubbs
Crowe Dam	Honadel	Plumb-Henry	Van Loan
Danks	Hudson	Porter	Warbonnet
DeGering	Indian-Brush Creek	Roller	Wasserburger
East Association	Miller 387	Ross	West Association
East Porter	Miller 514	Simons	West Porter
Eberle			

The Forest Service grazing allotment management process calls for periodic reviews of allotment conditions and management practices. The Rescissions Act of 1995 (P.L. 104-19, Section 504) required the Forest Service to establish a schedule for conducting National Environmental Policy Act (NEPA) analyses on all grazing allotments on national forest system (NFS) lands prior to revision of existing allotment management plans (AMPs).

This analysis and decision meet the intent of the Rescissions Act and the over-riding NEPA requirements. The underlying needs for this proposal include:

- ♦ Where consistent with other multiple use goals and objectives, there is Congressional intent to allow livestock grazing on suitable lands (Multiple Use Sustained Yield Act of 1960, Wilderness Act of 1964, Forest and Rangeland Renewable Resources Planning Act of 1974, Federal Land Policy and Management Act of 1976, National Forest Management Act of 1976).
- ♦ Resources in some allotments are not meeting or moving toward desired condition or management efficiency could be improved.

The difference between existing condition and desired condition can create the need for action. At the geographic area scale, there is little difference between existing and desired conditions on the Fall River West GA, particularly for vegetation structure and seral stage. However in individual allotments, resources in some areas are not meeting or moving toward desired conditions or management efficiency could be improved. For these areas, adaptive management (e.g., reducing stocking rate, changing livestock grazing rotations, installing new water sources) provides the flexibility to improve efficiency and address discrepancies between existing and desired conditions at the pasture or allotment scale.

DECISION

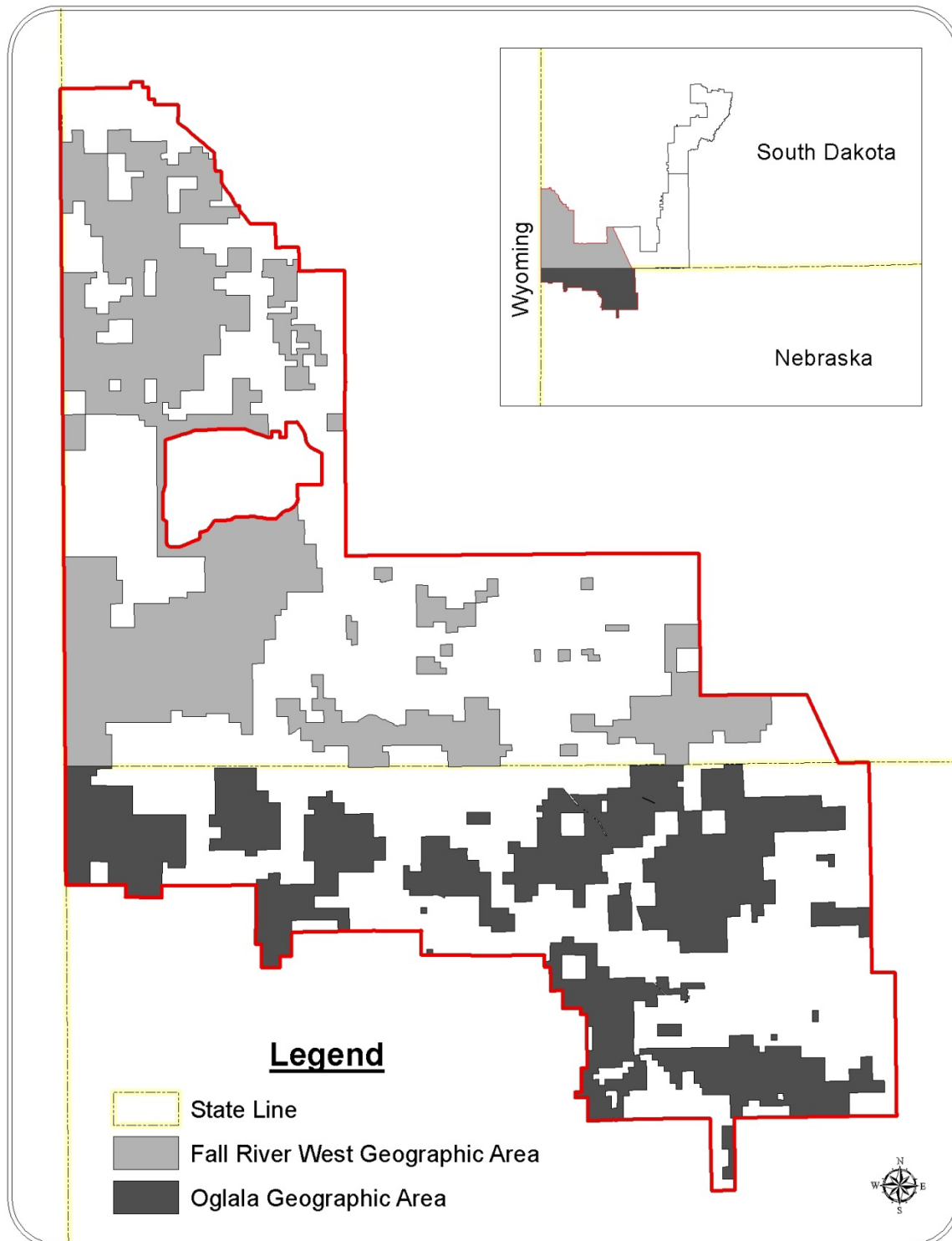
I have decided to implement Alternative 3, continuation of permitted livestock grazing on the above named allotments, using adaptive management strategies.

I have reviewed the proposed actions identified in the FEIS, issues identified during the public involvement process, alternatives, and environmental consequences of implementing the proposed action and alternatives. My decision is based on public feedback, analyses disclosed in the FEIS, information in the project record, and Forest Service management direction and policy. I intend to use adaptive management strategies, as described briefly in this decision and in more detail in the FEIS, to focus on the desired condition end results for the resource, as opposed to selecting one specific course of action that could not be deviated from over time without additional analysis. I am also choosing to implement the design features and monitoring requirements as identified in the FEIS (table 2-6 and 2-7, respectively) and reiterated later in this ROD.

Continuing permitted livestock grazing includes administrative actions, structural and non-structural range improvements, and grazing system adjustments. Existing improvements would be maintained as assigned in term grazing permits and would be reconstructed as needed.

Table 2 outlines the management to be implemented on each allotment. Any of the potential livestock grazing actions listed in chapter 2 of the FEIS (table 2-3) and shown in table 1 of this ROD could also be implemented to maintain or move the allotments toward desired conditions.

Figure 1. Project vicinity map.



As noted in the FEIS on page 2-8, adaptive options must be covered by NEPA analysis and disclosure. Options that are not evaluated and disclosed in the FEIS or this ROD would likely need further review to determine if additional NEPA is warranted. In particular, this would apply to any ground-disturbing actions listed in the following table.

Table 1. Potential adaptive management actions available for all allotments in the Fall River West GA.

Adjust stocking rate to light, moderate, or heavy grazing intensity to meet seral stage objectives (see LRMP appendix I).
Implement riparian grazing dates – no livestock use from 6/15 – 9/20.
Implement alternative riparian grazing dates based upon specific conditions (topography, range rider, upland water sources, livestock use patterns).
Incorporate a range rider to move livestock from riparian areas (herding).
Change season of use and/or livestock utilization days – do not exceed permitted AUMs (stocking rate).
Change animal numbers – do not exceed permitted AUMs (stocking rate).
Change animal class – do not exceed permitted AUMs (stocking rate).
Delay livestock turn-on date.
Rest from livestock grazing.
Do not allow livestock grazing.
Construct fence to create riparian unit – allow grazing under riparian grazing dates.
Construct fence to exclude livestock from areas of concern (riparian, wooded draws, springs, wetlands, etc.).
Construct standard barbed wire fence and/or temporary or permanent electric fence to control livestock distribution patterns.
Control livestock distribution patterns using water (turn water on or off at developed water sites).
Control livestock distribution patterns by constructing cross fences.
Construct livestock water development (pipeline, tanks, windmill, well, stock dam, submersible pump, solar).
Remove or relocate existing developments (fence, pipeline, tanks, windmill, well, stock dam).
Implement a rotational grazing system (e.g., multi-pasture deferred, rest-rotation, multiple unit rotation with permittees private land, high-intensity/short duration).
Rehabilitate areas seeded to introduced grass species back to native grass, shrub and forb species.
Use of salt or supplement to draw livestock toward or away from specific areas.
Early spring grazing may be allowed, when necessary, to meet management objectives.
Seed or plant sagebrush for restoration purposes.

Elements of My Decision by Allotment

My decision will not change management on seven allotments, and it does not change the current authorized AUMs or grazing seasons for thirty-two allotments. On nine allotments (shown in *italics* in the table below), the stocking rate (AUMs) will be reduced. My decision also assigns eight small federal parcels (Cottonwood Miscellaneous and Indian Miscellaneous) to existing allotments.

Table 2. Allotment-specific management to be implemented under my decision.

Antelope	
Permitted AUMs	2,312
Permitted grazing season	5/15 – 10/15 2/1 – 12/30
4-Sections pasture	Increase stocking through rotation. Install new pipeline and tanks.
East pasture	Increase stocking through rotation. Bury existing pipeline.
Middle pasture	Fence the Wallace Ranch Special Interest Area (SIA).
Johnson pasture	Install new pipelines and tanks.
Johnson, Middle, Sherwin, South, West pastures	Reduce stocking through rotation. Stock one pasture annually at <70%.
Beebe-Markey	
Permitted AUMs	711
Permitted grazing season	3/15 – 4/30 9/26 – 11/1 12/1 – 2/28
North pasture	Reduce permitted stocking rate from 928 AUMs to 711 AUMs.
Benton	
Permitted AUMs	NA (Grazed as part of the Porter allotment).
Permitted grazing season	NA (Grazed as part of the Porter allotment).
All pastures	Combine with Porter allotment.
West Dry Creek pasture	Reduce permitted stocking.
Cottonwood Group	
Permitted AUMs	1,003
Permitted grazing season	5/1 – 11/15
Childers pasture	Reduce stocking through rotation.
West pasture	Increase stocking through rotation. Construct new dam.
Cottonwood Misc.	
Permitted AUMs	NA
Permitted grazing season	NA
	Assign to Cottonwood Grazing Association in the Ellison Dam allotment and modify grazing agreement to reflect additional AUMs.

Cow Camp	
Permitted AUMs	727
Permitted grazing season	6/1 – 12/23
299 pasture	Create ground disturbance with livestock grazing (pasture is not being grazed currently).
Cow Camp pasture	Encourage livestock to graze outside of riparian area using salt/mineral. No grazing between June 15th and November 1st for hardwood draw management. Install new pipeline and tank.
Cow Camp, Northeast, Northwest, Southeast, and Southwest pastures	Stock one pasture annually at <70%.
Southeast and Southwest pastures	Relocate and build fence between southeast and southwest pastures.
Crowe Dam	
Permitted AUMs	NA
Permitted grazing season	NA
	Repair dam. Graze periodically when monitoring indicates grazing is needed to achieve management objectives (currently this is a vacant allotment).
Danks	
Permitted AUMs	1,913
Permitted grazing season	5/1 – 12/13
All pastures	Reduce permitted stocking rate from 2,099 AUMs to 1,913 AUMs.
Fiddle Creek, Perimeter, and Grabb pastures	Allow early season grazing. Install new pipeline and tank.
DeGering (administered by the Pine Ridge Ranger District)	
Permitted AUMs	40
Permitted grazing season	10/1 – 12/20 4/15 – 4/30
	No change needed.
East Association	
Permitted AUMs	1,916
Permitted grazing season	5/1 – 10/30
	No change needed.
East Porter	
Permitted AUMs	995
Permitted grazing season	5/1 – 10/15 11/26 – 5/14
All pastures	Combine with Miller 514 allotment.
NW pasture	Install new pipeline and tanks. Bury existing pipeline.
Winter pasture	Increase stocking through rotation.

Eberle	
Permitted AUMs	516
Permitted grazing season	5/1 – 5/15 6/12 – 10/31
Fiddle Creek	Decrease stocking through rotation. Install new pipeline and tanks.
Wheatgrass North pasture	Increase stocking through rotation. Combine with Wheatgrass South. Install new pipeline and tanks.
Ellison Dam	
Permitted AUMs	1,098
Permitted grazing season	5/16 – 11/15
North, Soper, and South pastures	Reduce permitted stocking rate from 1,220 AUMs to 1,098 AUMs.
Fossil Point	
Permitted AUMs	32
Permitted grazing season	11/1 – 1/9
	No grazing between June 15 th and November 1 st for hardwood draw.
Fuchs	
Permitted AUMs	175
Permitted grazing season	6/1 – 7/31
North pasture	Install new pipeline and tanks.
Creek pasture	Construct new dams. Modify Cottonwood Grazing Association permit to reflect added pasture. No grazing between June 15 th and November 1 st for hardwood draw.
Furrow	
Permitted AUMs	597
Permitted grazing season	6/1 – 11/12
East, Middle, West pastures	Stock one pasture annually at <70%. Combine with Trotter allotment.
Henry	
Permitted AUMs	1,093
Permitted grazing season	5/10 – 8/30
Hay Creek pasture	Install new pipeline and tanks. Increase stocking through rotation.
Hollow Creek pasture	Install new pipeline and tanks.
Northeast pasture	Increase stocking through rotation.
Oscar pasture	Combine with School Section pasture (Mule Creek allotment).

Honadel	
Permitted AUMs	480
Permitted grazing season	6/1 – 10/24
East, Northeast pastures	Combine pastures.
Middle and Starner pasture	Stock <100% through rotation. Install new pipeline and tanks.
Hudson	
Permitted AUMs	83
Permitted grazing season	11/1 – 12/6
North pasture	Reduce permitted stocking rate from 118 AUMs to 83. Allow early season grazing.
Indian-Brush Creek	
Authorized AUMs	4,164 (includes pastures on the Oglala GA)
Authorized grazing season	Variable season of use between May 1 and Oct. 31.
All pastures	Adjust season of use if the overall allotment rotation plan is modified.
Pasture 3N	Install pipeline from existing pipeline to new tank.
Pastures 3N, 3S	Replace existing electric division fence with permanent barb-wire fence.
Pastures 2W, 2E	Remove electric fence and combine pastures 2E and 2W.
Pasture 2E	Adjust season of use. Install pipeline from existing pipeline to new tank.
Pasture BC	Reduce days used, change season of use.
Pastures 1N	No change needed.
Indian Misc.	
Permitted AUMs	NA
Permitted grazing season	NA
453 and 454 pastures	Assign to Indian-Brush Creek allotment.
Extra pasture	Assign to Antelope allotment.
NGA 1 pasture	Assign to Cow Camp allotment.
Skinny pasture	Assign to Wasserburger allotment.
Miller 387	
Permitted AUMs	403
Permitted grazing season	5/16 – 10/15 11/1 – 3/31
North and South pastures	Install new tanks. Bury existing pipeline.
North pasture	Increase stocking through rotation. Bury existing pipeline.

Miller 514	
Permitted AUMs	200
Permitted grazing season	6/1 – 10/15
All pastures	Install new pipeline and tanks. Combine with East Porter allotment. Reduce permitted AUMs from 207 AUMs to 200 AUMs.
Moody	
Permitted AUMs	478
Permitted grazing season	5/16 – 10/15
	Install new pipeline and tanks.
Morris	
Permitted AUMs	94
Permitted grazing season	10/2 – 11/3
All pastures	Build permanent fence across south end of T11S, R3E, NW1/4, NW1/4. No grazing in south pasture, monitor and re-evaluate. Temporarily adjust AUMs.
Mule Creek	
Permitted AUMs	595
Permitted grazing season	6/15 – 9/9
North pasture	Install new pipeline and tanks. Increase stocking through rotation.
School Section pasture	Install new pipeline and tanks. Reassign to Henry allotment.
Pfister	
Permitted AUMs	1,400
Permitted grazing season	6/1 – 10/15
Perimeter pasture	Allow early season grazing.
Plumb	
Permitted AUMs	276
Permitted grazing season	6/3 – 11/17
	No change needed.
Plumb-Henry	
Permitted AUMs	800
Permitted grazing season	6/1 – 10/20
All pastures	Reduce permitted AUMs to 80% of suggested NRCS stocking rate (from 1,001 AUMs to 800 AUMs). Install new pipeline and tanks.
Porter	
Permitted AUMs	798
Permitted grazing season	1/1 – 12/31
All pastures	Combine with Benton allotment. Reduce permitted AUMs from 833 to 798.

Roller	
Permitted AUMs	320
Permitted grazing season	5/16 – 10/5
All pastures	Install new pipeline and tanks.
East pasture	Repair Roller Dam.
Ross	
Permitted AUMs	539
Permitted grazing season	5/10 – 10/3
	Rebuild temporary fence between North and South pastures into permanent structure. Install new pipeline and tanks.
Simons	
Permitted AUMs	290
Permitted grazing season	5/15 – 12/31
All pastures	Reduce permitted stocking rate from 311 AUMs to 290 AUMs.
Soske	
Permitted AUMs	333
Permitted grazing season	5/16 – 11/15
	No change needed.
Stearns	
Permitted AUMs	379
Permitted grazing season	5/22 – 10/30
All pastures	Reduce permitted stocking rate for the allotment from 413 AUMs to 379 AUMs.
Bailey pasture	Continue upland rangeland monitoring to determine effects of current stocking rate.
North pasture	Reduce permitted AUMs. Install new pipeline and tanks.
Kane pasture	Reduce permitted AUMs.
Trotter	
Permitted AUMs	294
Permitted grazing season	11/1 – 12/15
All pastures	Install new pipeline and tanks. Combine with Furrow allotment.
Trotter-Coal Creek	
Permitted AUMs	1,637
Permitted grazing season	5/10 – 9/25
West pasture	Remove pasture from rotation.
East and South pastures	Install Igloo water pipeline through allotment on way to Indian Grazing Association.
Coal Creek, East and South pastures	Stock one pasture annually at <70%.

Tubbs	
Permitted AUMs	802
Permitted grazing season	5/16 – 11/15 11/1 – 4/30
Carrol pasture	Increase stocking through rotation.
East Dry Creek, and Fritz pastures	Decrease stocking through rotation.
School pasture	Decrease stocking through rotation.
Van Loan	
Permitted AUMs	490
Permitted grazing season	5/11 – 10/16
	Install new pipeline and tanks.
Warbonnet	
Permitted AUMs	128
Permitted grazing season	6/10 – 8/13
	No change needed.
Wasserburger	
Permitted AUMs	251
Permitted grazing season	6/1 – 10/1
	No change needed.
West Association	
Permitted AUMs	1,238
Permitted grazing season	5/15 – 10/15
	No change needed.
West Porter	
Permitted AUMs	882
Permitted grazing season	5/15 – 11/30
Middle pasture	Increase stocking through rotation. Allow early season grazing. Install new pipeline and tank.
North, Safety Zone pasture	Install new pipeline and tanks.
Mostly private	Fence out private land.

Design Criteria

My decision incorporates all applicable design features listed in the FEIS and in the following table. Design features are intended to avoid or minimize environmental harm, but they do not eliminate all environmental effects, as disclosed in the FEIS. Design features include best management practices, utilization and residual vegetation guidelines, and range readiness features.

Table 3. Design features to be implemented with this decision.

Botany	
1.	During the allotment management plan (AMP) process or as other opportunities arise, design and implement livestock grazing strategies to provide well-developed emergent vegetation through the growing season on 30% to 50% of the wetlands (natural and constructed) distributed across watersheds and landscapes, contingent on local site potential (forest plan fish, wildlife and rare plants guideline 10).
2.	During the AMP process or as other opportunities arise, design and implement livestock grazing strategies to provide for thick and brushy understories and multi-layer and multi-age structure in riparian habitats, wooded draws and woody thickets, contingent on local site potential (forest plan fish, wildlife and rare plants guideline 11).
3.	As opportunities arise, design timing, intensity and frequency of mowing, burning and livestock grazing to maintain and/or increase populations of sensitive plant species and the health of rare plant communities (forest plan fish, wildlife and rare plants standard 27).
Cultural resources	
4.	If significant cultural resources are being impacted by grazing or range maintenance activities, fence off the site to protect the cultural resource, or fully excavate the site in order to recover important cultural resource information. Note: All mitigation measures for cultural resources will require consultation with the Nebraska and South Dakota State Historic Preservation Officers, Indian Tribes, and other interested parties.
5.	Develop and implement a heritage inventory strategy and implementation schedule to survey and evaluate sites, in support of management actions and activities as agreed upon with the state historic preservation offices (SHPO), tribal historic preservation offices (THPO) and to include compliance with laws Sec. 106 and Sec. 110 of the National Historic Preservation Act (forest plan goal 2b, objective 1).
Paleontology resources	
6.	Protect key paleontological resources classes 3, 4, and 5 of the fossil potential classification from disturbance, or mitigate the effects of disturbance, to conserve scientific, interpretive, and legacy values. (See [forest plan] appendix J for details). (forest plan paleontological resources standard 1)
7.	Survey and post federal land boundaries where paleontological sites have Fossil Potential Classification sensitivity rankings of 3, 4, or 5. (See [forest plan] appendix J for details). (forest plan paleontological resources guideline 2)
8.	Prior to ground-disturbing activities, conduct paleontologic surveys in any area where there is a high potential to encounter these resources according to the process outlined in [forest plan] Appendix J. (forest plan paleontological resources standard 2)
9.	Fence out the Wallace Ranch Paleontological Special Interest Area (SIA) and portions of the Toadstool Geological Park SIA.
Hydrology and soil resources	
10.	Manage land treatments to conserve site moisture and to protect long-term stream health from damage by increased runoff (forest plan water standard 1).

11.	Manage land treatments to maintain enough organic ground cover in each land unit to prevent harmful increased runoff (exceptions shall occur in special habitat situations (e.g. prairie dog habitat). (forest plan water standard 2)
12.	Conduct actions so that stream pattern, geometry, and habitats are maintained or improved toward robust stream health. (forest plan water standard 5)
13.	Manage water-use facilities to prevent gully erosion of slopes to prevent sediment and bank damage to streams. (forest plan water standard 8)
14.	Construct roads and other disturbed sites to minimize sediment discharge into streams, lakes, and wetlands. (forest plan water standard 9)
15.	Design activities to protect and manage the riparian ecosystem. Maintain the integrity of the ecosystem including quantity and quality of water. (forest plan water standard 13)
16.	<p>Locate facilities away from the water's edge or outside the riparian areas, woody draws, wetlands and floodplains unless alternatives have been assessed and determined to be more environmentally damaging. If necessary to locate facilities in these areas, then:</p> <ul style="list-style-type: none"> • Deposit no waste material (silt, sand, gravel, soil, slash, debris, chemical or other material) below high water lines, in riparian areas, in the areas immediately adjacent to riparian areas or in natural drainageways (draws, land surface depressions or other areas where overland flow concentrates and flows directly into streams or lakes). • Prohibit deposition of soil material in natural drainageways. • Locate the lower edge of disturbed or deposited soil banks outside the active floodplain. • Prohibit stockpiling of topsoil or any other disturbed soil in the active floodplain. <p>(Forest plan water guideline 14)</p>
17.	Fence the three small areas with hydric soils in the Cottonwood Group, Simons, and Fuchs allotments to protect them from livestock grazing impacts.
Range vegetation and livestock grazing management	
18.	<p>Maintain or improve the resource by managing for the health of key species through grazing impacts. The following annual indicators should result in meeting or moving towards desired conditions. Utilization may be measured both within season and after the grazing season depending on various factors such as timing and amount of precipitation or allotment conditions.</p> <ul style="list-style-type: none"> • Utilization of key species will generally not exceed 50%. If needed to obtain objectives, the maximum utilization may be set lower than 50%. • Timing and intensity will ensure an opportunity for key species on key areas to reach near full growth, or to re-grow to near full-growth, by the end of the grazing or growing season, whichever occurs later. • If used, the Grazing Response Index (GRI), on a pasture basis, will generally have a neutral or positive rating. A negative rating may result in livestock management changes the following grazing season.
19.	If supporting evidence from Forest Service monitoring and analysis clearly demonstrates that an increase in permitted stocking can be sustained, the Forest Service will determine an appropriate number and season-of-use that represents a sustainable carrying capacity of the allotment, and will adjust permitted use accordingly, not to exceed 20% on an annual basis (follow the grants process outlined in the Grazing Permit Administration Handbook (FSH 2209.13)).
20.	Adjust livestock management activities annually as needed to take into account the effect of natural processes, such as droughts, fires, floods, and grasshoppers on forage availability. (forest plan livestock grazing guideline 3)
21.	Drought management practices would be implemented, as needed, according to recommendations found in <i>Drought Management on Range and Pastureland, A Handbook for Nebraska and South Dakota</i> (Reece et al. 1991). For a detailed example, refer to appendix F of the FEIS.

22.	Manage livestock grazing to maintain or improve riparian/woody draw areas. Implement the following practices: <ul style="list-style-type: none"> • Avoid season-long grazing and activities, such as feeding, salting, herding, or water developments, which concentrate livestock in riparian/woody draw areas. • Control the timing, duration, and intensity of grazing in riparian areas to promote establishment and development of woody species. (forest plan livestock grazing guideline 4)
23.	Meet rest objectives based on, but not limited to, the following desired conditions: <ul style="list-style-type: none"> • Where high structure is required for plant and animal communities and/or reproductive success of MIS and threatened, endangered, and sensitive species. • Where rest is required for vegetation recovery after wildfire or prescribed burns. • Where ungrazed areas are desired for biological diversity. (forest plan livestock grazing guideline 5)
24.	When allotment management plans are revised, adjust stocking levels to account for the variations in liveweight of livestock if needed to meet desired vegetation conditions. (forest plan livestock grazing guideline 6)
25.	Prioritize and remove any fences or water developments that are not contributing to achieving desired conditions. (forest plan livestock grazing guideline 9)
26.	Build new and reconstructed fences to provide for big game movement (LRMP Appendix B – see below) and access for recreation, fire protection, and mineral development. (Infrastructure use and management guideline 6).

Kind of Livestock²	Big Game Species	Number of Wires	Maximum Height (in)	Wire Spacing (from ground up)	Wire Type^{3,4}
Cattle only	Deer, Elk, Pronghorn	3	38	16, 10, 12	Bottom smooth
Cattle and Sheep	Deer, Elk, Pronghorn	4	40	16, 6, 6, 12	Bottom smooth
Sheep only	Deer, Elk, Pronghorn	4	32	12, 6, 6, 8	Bottom smooth
Cattle only	Bighorn Sheep	3	39	20, 15, 4	Barbed

These recommendations are designed for facilitating movement of both young and adult big game animals during all seasons including winter and spring when snow drifting can be expected.

² No standards are available for bison, but provisions for big game movement should be considered when building bison fences.

³ Woven (net) wire fences are not recommended.

⁴ One or more of the top wires may also be electrified.

27.	As opportunities allow, install gates along all existing fences at intervals to provide reasonable access. (Infrastructure use and management guideline 7)
28.	Install all gates so they are easily opened and closed by all users. (Infrastructure use and management guideline 8)
Wildlife	
29.	Modify livestock grazing practices as needed to reduce adverse impacts of drought on food and cover for prairie grouse and other wildlife (fish, wildlife, rare plants standard 2).

30.	When installing new livestock water tanks, install durable and effective escape ramps for birds and small mammals. During maintenance of existing tanks, replace ramps that are ineffective or missing (fish, wildlife, rare plants standard 3).
31.	<i>This design feature was omitted because it applies to the plains sharp-tailed grouse which is not found on the Fall River West GA.</i>
32.	<i>This design feature was omitted because it applies to the plains sharp-tailed grouse which is not found on the Fall River West GA.</i>
33.	Design vegetation and pest management activities (e.g., prescribed burning, mowing, livestock grazing, or grasshopper spraying) and pesticide application projects in known habitats of sensitive butterfly species to reduce mortality of butterflies and to maintain or enhance nectar and larvae host plant species (Fish, wildlife, rare plants guideline 30).
34.	To reduce disturbances to swift fox during the breeding and whelping seasons, prohibit the following activities within 0.25 miles of their dens from March 1 to August 31: construction (e.g., roads, water impoundments, oil and gas facilities). (Fish, wildlife, rare plants guideline 45)
35.	To reduce disturbances to swift fox during the breeding and whelping seasons, do not authorize the following activities within 0.25 miles of their dens from March 1 to August 31: construction (e.g., pipelines, utilities, fencing). (Fish, wildlife, rare plants guideline 46)
36.	During the AMP process or as other opportunities arise, design and implement livestock grazing strategies that provide a mosaic of low, moderate and high grassland structure in occupied swift fox habitat, consistent with vegetation objectives for the geographic area (Fish, wildlife, rare plants guideline 48)

Monitoring

My decision includes two types of monitoring: *implementation* (short-term) and *effectiveness* (long-term). Implementation monitoring will determine whether the proposed actions and design features are being implemented as planned and whether they are moving resources toward the desired conditions. Effectiveness monitoring will evaluate the effectiveness of management in moving toward or achieving desired conditions. Implementation and effectiveness monitoring are both key to understanding and establishing apparent cause and effect relationships. The implementation and effectiveness monitoring that are a part of my decision are shown in the following table:

Table 4. Monitoring to be conducted as part of my decision.

Monitoring Item	Frequency	Method	Objectives
Implementation (Short-term) Monitoring			
Permit and AOI compliance (on/off dates, improvement maintenance, etc.)	Annually or more/less frequently.		Verify that permittees are complying with the term grazing permit.
Allotment resource inspections	Annually or more/less frequently. Allotments will be monitored based on resource concerns	Grazing response index (GRI) Utilization Ocular Paired plot Robel pole	Determine annual grazing pressure and effects of repetitive defoliation during the growing season. Assess current year grazing management and help develop a grazing plan for the next year.

Monitoring Item	Frequency	Method	Objectives
Range readiness	Annually or more/less frequently. Allotments will be monitored based on resource concerns.	Visual inspection of vegetation stages of key species	Ensure there is enough forage when livestock go on the allotment.
Sage grouse leks and nesting	Every 1 - 3 years	Lek surveys Droop height	Ensure rangeland health and grouse habitat are meeting or moving toward desired conditions.
Effectiveness (Long-term) Monitoring			
Rangeland vegetation	Approximately every 5 years on representative range sites in the GA	NRCS range analysis Similarity index	Determine if rangeland vegetation is meeting, moving toward, or not meeting or moving toward desired conditions
Woody draw and riparian areas	Approximately every 5 years on representative areas in the GA.	Stream bank impact Proper functioning condition (streams) Great Plains riverine scorecard Ecological rating scorecard-Uresk	Ensure that riparian areas and woody draws are meeting or moving toward desired conditions. Ensure streams are meeting or moving toward proper functioning condition (PFC)
Sensitive plants Rare plant communities Species of concern	Approximately every 10 years	Population monitoring Photo points	Ensure populations are increasing or maintaining to meet desired conditions
Key botanical areas	Approximately every 10 years	Ocular plant composition	Ensure populations are increasing or maintaining to meet desired conditions

DECISION RATIONALE

I have reviewed the FEIS and the project record, including the LRMP. I have had discussions with various stakeholders on the Fall River Ranger District including the permittees affected by this decision, local elected officials, range management professionals (including my range staff), and state agency employees, recreationists, and hunters. All of this input has provided me with a context for, and understanding of, the resource and human impacts of selecting alternative 3.

I decided to implement alternative 3 because it meets the purpose and need of utilizing adaptive rangeland management strategies to maintain or achieve desired conditions, meet LRMP objectives, and improve management efficiency better than alternatives 2 or 1. Alternative 3 allows livestock grazing to occur in an environmentally acceptable manner. It uses adaptive management to adjust permitted actions as determined by monitoring, and it contains design features to avoid or minimize harm from implementing the decision.

Alternative 3 will maintain or improve rangeland and riparian resources while supporting local ranch families and communities. It also provides the greatest flexibility in terms of range management techniques. The other alternatives preclude some management options.

Alternative 3 also responds well to the issues, including key issues, and public comments. The response to key issues is shown below. Key issues were identified from scoping comments and were used to determine the scope of the analysis shown in the FEIS.

Proposed range improvements should include increased stockwater (dirt tanks and/or pipelines) to more effectively utilize the outlying areas, and temporary and permanent electric fence to control/plan grazing patterns: My decision responds well to this issue. The adaptive management options available in all allotments (see table 1) include use of electric fence to control livestock distribution patterns and construction and relocation of water developments. Twenty-two allotments will have water developments repaired or constructed. This includes reservoir construction and pipeline and tank installation.

Management plans should include flexible grazing systems and stocking rates to allow adjustment for things like drought: In making my decision, I considered the need to be responsive to changing environmental conditions, including drought. The available adaptive management options in table 1 include adjusting stocking rates, changing seasons of use or utilization days, delaying livestock turn-on, and implementing rotational or early spring grazing. These options are available for use in any allotment. Eighteen allotments have some type of rotation grazing system or change in season of use. In addition, my decision includes a design feature (see table 3, design feature 21) that specifically addresses livestock grazing management during drought conditions.

Proposed livestock grazing management should include rest/rotation: Rotation grazing is an important component of my decision. Table 1 includes both as adaptive management options that can be used in any allotment. Under my decision, ten allotments have rotation grazing systems. My decision also includes rest in three allotments: Morris South pasture, Crowe Dam (vacant allotment), and Trotter-Coal Creek West pasture (closure order).

I also considered endangered, threatened, proposed and candidate species, Region 2 sensitive species, and management indicator species (see table 5 below); soil and water resources; rare plant communities; the recreation opportunity spectrum and scenic integrity of the project area; and the social and economic impacts of my decision as discussed below.

The following table summarizes the effects of my decision on wildlife and plant species that are found in the Fall River West GA or have habitat in the GA. The species in *italics* have not been detected in the GA though habitat is present.

Table 5. Determination of effects of the decision for endangered, threatened, proposed and candidate species and Region 2 sensitive species.

Species	Determination	
Greater sage-grouse (candidate species)	Population trend	Neutral effect
	Viability	May adversely impact individuals but is not likely to result in a loss of viability in the planning area nor cause a trend toward federal listing or a loss of species viability range wide
Black-tailed prairie dog, burrowing owl	Population trend*	Neutral effect
	Viability	No impact
Swift fox, ferruginous hawk, chestnut collared longspur, loggerheaded shrike, Brewer's sparrow, hoary bat, plains minnow, flathead chub, grasshopper sparrow, short-eared owl, northern harrier, northern leopard frog, regal fritillary, Ottoe skipper, long-billed curlew	May adversely impact individuals but is not likely to result in a loss of viability in the planning area nor cause a trend toward federal listing or a loss of species viability range wide	
McCown's longspur, plains leopard frog	May adversely impact individuals but is not likely to result in a loss of viability in the planning area nor cause a trend toward federal listing or a loss of species viability range wide	
* The population trend determination is only for the black-tailed prairie dog.		

Management indicator species: My decision to select alternative 3 may improve habitat for the greater sage-grouse and black-tailed prairie dogs which are management indicator species on the Fall River West GA. In seven allotments/pastures containing sage-grouse habitat, permitted AUMs will be reduced or stocking rates will be reduced through a rotation grazing system. These actions are designed to increase vegetation structure for sage-grouse. In addition, my decision to implement alternative 3 includes a future adaptive option of sagebrush seeding or planting in allotments with sagebrush habitat. This would benefit both greater sage-grouse and Brewer's sparrow, a region 2 sensitive species.

My decision uses livestock grazing as a tool to achieve objectives for prairie dog acres. In five pastures, stocking rates will be increased through the rotation grazing system. These actions are designed to reduce vegetation structure and help expand existing prairie dog colony boundaries. This may move us closer to the desired minimum prairie dog acreage of 1,000 on the GA. As of 2009, the Fall River West GA had 796 acres of prairie dog colonies.

Before making my decision, I reviewed the biological assessment and evaluation for this project. I note that some wildlife and plant species were not analyzed in detail because they are not known or suspected to occur in the analysis area, no suitable habitat is present, and/or it is highly unlikely the livestock management actions in my decision would affect these species or their habitat.

Water and soil resources: I find that water and soil resources will generally be maintained or improved under this decision through the implementation of the design features listed in table 3 and by reducing stocking rates and permitted AUMs.

My decision reduces stocking rates in pastures in seventeen allotments which could decrease sedimentation if any is occurring. I recognize that my decision to increase the stocking rate in eleven pastures could increase sedimentation. However, most of the drainages in the project area are ephemeral and are located on the uplands so I anticipate impacts to water quality will be negligible.

There are hydric soils on three sites on the GA; they make up approximately 44 acres or 0.04% of the GA. My decision to implement alternative 3 includes fencing (design feature 17) to protect these areas from livestock grazing.

Rare plant communities: My decision to implement alternative 3 protects rare plant communities by reducing stocking rates, changing seasons of use, and installing water developments to move livestock out of sensitive areas.

My decision reduces AUMs and includes new water sources in the Plumb-Henry allotment which should help reduce impacts to the saltgrass – foxtail barley – Nuttall’s alkali grass – sea-blite herbaceous vegetation wetland community. If these management options do not provide adequate protection for this rare plant community, alternative 3 allows me to implement more adaptive management options: further stocking reductions, changing seasons of use, or changing the livestock grazing system.

If we find that prairie cordgrass – sedge species herbaceous vegetation communities exist in Cottonwood Group, Fuchs, and Simons allotments, my decision to implement alternative 3 provides this rare plant community with some protection. The stocking rate would be reduced in the Childers pasture of Cottonwood Group allotment. The Fuchs allotment has new water developments that may move livestock out of the wetter areas that are habitat for this rare plant community. AUMs would be reduced in the Simons allotment which would improve vegetation conditions throughout the allotment, including conditions in this rare plant community.

The ill-scented sumac/threadleaf sedge shrub herbaceous vegetation community is in the Cottonwood Group allotment, Cottonwood East pasture, where no management changes are proposed. However, my decision includes adaptive management practices that would allow more options to protect this rare plant community.

My decision would not impact the shale barren slopes rare plant community on the Antelope allotment. This vegetation community is sparsely populated and found on rocky outcrops where cattle typically do not congregate.

Recreation opportunity spectrum (ROS) and scenic integrity: I recognize some members of the public are concerned about the effects of fences and water developments on the ROS and scenery values in the project area. The improvements that will be implemented with my decision will not change the ROS in the Fall River West GA. I recognize the possibility of small local impacts from the construction of four dams, but these activities will not change the ROS across the Fall River West GA. The installation of new tanks may move small areas to a different ROS class, but the installations are dispersed across the project area so the ROS across the GA will not

change. Eighty percent of the GA is roaded natural which is a predominately natural-appearing environment with moderate evidence of the sights and sounds of people.

My decision to implement the fences and water developments in alternative 3 may have a short-term effect on scenic integrity objectives (SIO) in some areas. Most of the proposed improvements are in areas with a moderate or low SIO which means the valued landscape character appears slightly to moderately altered, respectively.

In four areas, my decision to construct fences in moderate and high SIO areas balances impacts to scenic integrity and resource protection. Approximately 2.6 miles of fence in the Cottonwood Group, Simons and Fuchs allotments would be in moderate SIO areas; however, these fences would be constructed to protect sensitive soils. The construction of approximately 2 miles of fence will impact aesthetics in a high SIO area. I accept this as a reasonable compromise because the fence is being constructed to protect fossil resources in the Wallace Ranch SIA and an existing fence in the Wallace Ranch SIA will be removed which will improve scenic integrity.

My decision includes the installation of two tanks in the Eberle allotment which is in a high SIO area. The tanks will be located behind a hill and not visible from U.S. Highway 18 which will protect the scenic integrity of the area.

Social/economic considerations: While social and economic issues were not identified as key in the FEIS, they provided an important context for my decision. The economic specialist report for the FEIS notes that the majority of the land base in Fall River County is in agricultural use, and many ranching families depend on income from that sector. Livestock production is the most common activity in the agricultural sector; it provides income for local families and also supports a way of life and family traditions. I recognize that adjustments to federal grazing, whether in terms of AUM reductions or cost increases to permittees, can have important consequences to individual ranch operations and ranch viability, as well as implications to families, social structure, lifestyle, and local economies. My decision will continue to provide for the social and economic structure of the area even though I am changing permitted AUMs on some allotments.

PUBLIC INVOLVEMENT

The project was initially identified in the quarterly schedule of proposed actions (SOPA) for the Nebraska National Forests and Grasslands starting in 2007. The notice of intent (NOI) was published in the Federal Register on February 22, 2008. The legal notice announcing the beginning of the 45-day comment period was also published on February 22, 2008. Scoping letters were sent out on March 10, 2008 to interested parties (permittees, federal, state, county, and local government agencies, tribal agencies, political figures, and other persons who have expressed an interest in natural resource management on the Nebraska National Forests and Grasslands). The project was put on hold in 2008 to accommodate the Nebraska and South Dakota black-tailed prairie dog management NEPA analysis and decision. The project was re-initiated in October 2009. A second NOI and legal notice were published on June 11, 2010, updating the process for the proposed project. Another scoping letter was mailed to interested parties on June 11, 2010. A total of forty-five comment letters were received for both comment periods.

The ID team grouped the comments from scoping into themes by resource area and refined them into issue statements. Issues were separated into key and non-key issues, which are discussed in the *Public Involvement* section in chapter 1 of the FEIS. Key issues were also discussed previously in the *Rationale* section of this ROD.

A draft environmental impact statement (DEIS) was published for review and comment on July 20, 2012. The comment period closed on September 4, 2012. The forest received comments from five individuals, agencies, and organizations. The FEIS chapters and appendices were modified in response to some comments. Comments and responses are displayed in appendix E of the FEIS.

ENVIRONMENTALLY PREFERRED ALTERNATIVE

Disclosure of one or more environmentally preferred alternative(s) is required (40 CFR 1505.2(b)). The environmentally preferred alternative is not necessarily the alternative that will be implemented, and it does not have to meet the underlying purpose and need for the project. It does have to cause the least damage to the biological and physical environment and best protect, preserve, and enhance historical, cultural, and natural resources.

I have determined that alternative 1, no action, is the environmentally preferred alternative because it would eliminate impacts from livestock to paleontological resources, scenic integrity objectives, riparian areas and woody draws, soil and water resources, and some wildlife species.

ALTERNATIVES CONSIDERED

In addition to the selected alternative, I considered two other alternatives, which are discussed below. As noted in the preceding section, alternative 1 is the environmentally preferred alternative. A more detailed comparison of these alternatives can be found in chapter 2 of the FEIS.

Under Alternative 1, no domestic livestock grazing would be permitted. This alternative would require cancellation of all grazing permits upon implementation of the decision and resolution of any appeals. Pursuant to Forest Service Handbook (FSH) 2209.13, section 16.13, this alternative could not be implemented until one year after the notification of each affected permittee (36 CFR 222.4(a)(7)(8)). All existing rangeland structural improvements would remain in place but would not regularly be maintained. Periodic inspection of improvements would be done to determine whether removal or maintenance is needed. Removal would be authorized by a separate administrative decision.

Livestock effects to areas of upland and riparian rangeland vegetation (from grazing as well as physical impacts to soil) would no longer occur. There would likely be some change in plant vigor and reproductive ability, as well as in species composition, plant community composition, and cover. Long-term trend of rangeland vegetation on a landscape scale would likely be toward later seral plant communities. On many sites (depending upon a variety of variables such as time, precipitation, site potential, etc.), species composition is likely to become less diverse.

Excess forage would not be removed annually by livestock and would accumulate, particularly in

areas of high production. This accumulation of fine fuels would increase the risk of wildfire occurrence and increase the rate of spread if a wildfire occurred.

Furthermore, this alternative does not meet the purpose and need for the project because it eliminates this source of income to local families and reduces economic diversity in local communities. I did not select alternative 1 in part because cancellation of the grazing permits was not warranted for resource protection based on other available options, especially when cancellation could potentially threaten the livelihood of the affected permittees and might be detrimental to local communities. Also, this alternative would not meet LRMP goal 2c, livestock grazing objective 1: “Annually, provide forage for livestock on suitable rangelands.”

Under Alternative 2, livestock grazing would continue on all allotments as currently authorized. Existing improvements would be maintained as assigned in term grazing permits and grazing agreements and would be reconstructed as needed. All existing rangeland structural improvements would remain in place and would be maintained. Structural improvements approved in the existing AMPs would continue to be built if consistent with LRMP direction.

I did not select alternative 2 because the FEIS shows a need to change the management of some of the allotments in order to provide the best mix between resource protection and utilization. For some allotments, the change in management under alternative 3 when compared to alternative 2 is small, and on seven allotments, management under alternatives 2 and 3 is the same. I do not believe alternative 2 provides the best option for managing livestock. It does not include new fencing or other structural improvements that are important management tools. At the allotment level, it does not maintain resources at desired condition or move them toward desired condition as well as the selected alternative does, and it does not allow us to improve management efficiency.

ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

Federal agencies are required by NEPA to rigorously explore and objectively evaluate all reasonable alternatives and to briefly discuss the reasons for eliminating any alternatives that were not developed in detail (40 CFR 1502.14). Public comments on the DEIS provided suggestions for alternative methods of achieving the purpose and need. These comments were used to modify the original proposed action. No additional alternatives were considered.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

Another aspect of the process of selecting an alternative is ensuring the planned actions comply with all legal requirements and policy. I have determined that implementation of alternative 3 is consistent with requirements of the following laws and regulation (also see FEIS chapter 1).

Federal Laws

Public Law 104-19 (Rescissions Act of 1995), section 504 addresses allotment analysis, grazing permit issuance, and compliance with NEPA. Section 504 requires each NFS unit to develop and adhere to a schedule for completing NEPA analysis on all allotments where NEPA analysis is needed. The NEPA analyses completed for this project complies with this law.

The Clean Water Act was amended in 1977 and 1987 (Public Law 100-4) to protect and improve the quality of water resources and maintain their beneficial uses. Section 313 of the Clean Water Act and Executive Order (EO) 12088 of January 23, 1987 address federal agency compliance and consistency with water pollution control mandates. Agencies “shall be subject to, and comply with, all Federal, State, interstate, and local requirements, administrative authority, and process and sanctions respecting the control and abatement of water pollution” (<http://www.epa.gov/npdes/pubs/cwatxt.txt>).

The Clean Water Act (Sections 208 and 319) recognized the need for control strategies for nonpoint source pollution. Soil and water conservation practices (BMPs) were recognized as the primary control mechanisms for nonpoint source pollution on NFS lands. The Environmental Protection Agency supports this perspective. The application of design features for project activities accomplishes this. The site-specific application of BMPs, with a monitoring and feedback mechanism, is the approved strategy for controlling nonpoint source pollution. Because alternative 3 is designed to improve current livestock grazing practices, no water quality degradation is expected from the project.

The National Historic Preservation Act of 1966, as amended: I find alternative 3 to be consistent with the National Historic Preservation Act. All surveyed and inventoried cultural sites considered eligible or potentially eligible for the National Register of Historic Places will be protected from grazing activities. New sites discovered during operations will be protected. Any identified traditional cultural properties and sacred areas will be protected.

The Nebraska and South Dakota State Historic Preservation Offices (SHPOs) have been consulted concerning the proposed activities. Once ground-disturbing actions and their specific locations are identified, they will be subject to the regular Section 106 process, as identified in 36 CFR 800 (SD SHPO Concurrence dated May 6, 2013; NE SHPO concurrence May 29, 2013). My decision also includes design features to protect cultural resources. They are listed in table 3 of this ROD and in table 2-6 of the FEIS. Based on the protection measures in chapter 2 and SHPO’s involvement and review, the implementation of this alternative will result in a final determination of *no adverse effect*.

The Endangered Species Act: I have reviewed the biological assessment and evaluation and the FEIS wildlife section and find that this decision and analysis complies with the Endangered Species Act (ESA) as shown in the following summary of determinations for endangered, threatened, proposed, and candidate species.

Greater sage-grouse: The viability determination is “*May adversely impact individuals but is not likely to result in a loss of viability in the planning area nor cause a trend toward federal listing.*” The population trend determination is “*neutral effect.*” The reduced stocking rates and improved management under this alternative could increase residual nesting and brood rearing cover which would have a positive impact on nesting sage-grouse if they return to the area. However, the limiting factor for sage-grouse in the area appears to be the amount of sagebrush canopy cover. Alternative 3 has other adaptive management strategies that could increase sagebrush in the area; for example, sagebrush planting from seed or seedlings, manipulation of livestock numbers and grazing patterns, and fencing. Application of these adaptive management options would provide the best chance for reestablishing sagebrush habitat for sage-grouse.

The following species were eliminated from further analysis because their presence or the presence of their habitat has not been documented or because it is unlikely that livestock grazing or its management would affect the species and/or its habitat either on NFS lands or downstream: black-footed ferret, gray wolf, whooping crane, Ute ladies'-tresses, and Sprague's pipit.

The National Environmental Policy Act (NEPA), 1969: My decision and the analysis process documented in the FEIS comply with NEPA. Direction in 40 CFR parts 1500-1508 and FSH 1909.15 was followed throughout development of the FEIS and project as disclosed in the FEIS and project record.

The National Forest Management Act (NFMA) 1976, which amends the Forest and Rangeland Renewable Resources Planning Act (RPS) of 1974: Alternative 3 was developed to be in full compliance and consistent with NFMA as summarized below:

Forest Plan Consistency

The LRMP, supported by its FEIS, is the programmatic document required by the rules implementing the Forest and Rangeland Renewable Resources Act of 1974 (RPA), as amended by the National Forest Management Act of 1976 (NFMA). My decision is consistent with the LRMP in that:

- ◆ Planned activities will contribute to LRMP goals and objectives. Actions proposed focus on goals and objectives (LRMP chapter 1) by providing commodities to support local families and communities. Other LRMP goals and objectives also provide management guidance and are achieved to varying degrees.
- ◆ I have reviewed past monitoring and evaluation reports and Region 2 management indicator species (MIS) guidance for projects. The effects of planned activities on MIS are consistent with the LRMP. They are also consistent with the Forest Service Manual (FSM) 2670 policy on sensitive species.
- ◆ Planned activities are consistent with management area direction.
- ◆ In accordance with the LRMP, standards are followed. Exceptions to guidelines are disclosed, and the rationale is documented in the project record.

Alternative 3 is consistent with applicable LRMP endangered, threatened, proposed, candidate, and sensitive species and wildlife standards and guidelines defined in the LRMP. The effects from this project were found to be within the range of anticipated effects for the species described in the forest plan FEIS, to which this analysis is tiered.

The following species were considered in this project's biological evaluation but were not addressed in the LRMP biological evaluation, biological assessment, or other emphasis species documents: gray wolf, whooping crane, chestnut-collared longspur, grasshopper sparrow, short-eared owl, McCown's longspur, northern harrier, Brewer's sparrow, hoary bat, plains minnow, and plains leopard frog.

Effects to the gray wolf and whooping crane were not analyzed in detail because their presence or the presence of suitable habitat is doubtful or has not been documented in the project area. Review of species conservation assessments and habitat requirements for chestnut-collared longspur, grasshopper sparrow, short-eared owl, McCown's longspur, northern harrier, Brewer's sparrow, hoary bat, plains minnow, and plains leopard frog indicates the existing management direction in the LRMP is adequate to provide habitat for these species. Therefore, no supplement to the forest plan biological evaluation is necessary at this time, unless further information indicates a need.

After reviewing the wildlife specialist report and FEIS chapter 3 for this project, I find the project is also consistent with the requirements of the LRMP for management indicator species (MIS). The scope of analysis for a forest plan's MIS is determined by the forest plan's management direction, specifically its standards and guidelines (chapter 1) and monitoring direction (chapter 4). The LRMP establishes monitoring and evaluation requirements that do not require population monitoring for MIS but rather employ habitat capability relationships (USDA Forest Service 2001).

Alternative 3 best achieves the LRMP objectives of sustaining the resources on the forest while providing economic opportunities that support quality of life for local communities. This balance between resource protection and use is embodied in LRMP livestock grazing strategy 2, which reads "As needed, revise allotment management plans (AMP) to meet desired vegetative conditions described in Geographic Area and to implement all appropriate management plan direction."

Alternative 3 ensures a balance between resource protection, resource use, and social and economic considerations. It maintains or improves soil and water resources and vegetation, while continuing livestock grazing which provides jobs and maintains quality of life in local communities. I find that the adaptive management, design features, and monitoring established in this decision will allow livestock grazing on the allotments in a manner that meets LRMP goals and objectives and maintains or moves resources toward desired conditions.

Consistency with NFMA

In accordance with NFMA, my decision is consistent with the 2001 LRMP. The LRMP was developed under regulations developed in 1982, which were recently superseded by new regulations (Federal Register, April 9, 2012, pp. 21162-21274). The transition language of the new regulations state that "no obligations remain from any prior planning regulation, except those that are specifically included in a unit's existing plan" (36 CFR 219.17(c) - 2012 rule).

Applicable Executive Orders (EOs)

Environmental Justice (EO 12898): This executive order requires that federal agencies make achieving environmental justice part of their mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of programs, policies, and activities on minority populations and low income populations. Implementing alternative 3 will not have disproportionately high and adverse human health or environmental effects on low income populations, minority populations, or Indian tribes.

Floodplains and Wetlands (EOs 11988 and 11990): These executive orders require federal agencies to avoid, to the extent possible, short- and long-term effects resulting from the occupancy and modification of floodplains and the modification or destruction of wetlands. This decision is consistent with the provision of EO 11988; it does not authorize the type of occupancy or modification of floodplains envisioned in EO 11988. This decision also complies with EO 11990. The design features in chapter 2 of the FEIS include all practicable measures to minimize harm to wetlands.

ADMINISTRATIVE REVIEW (APPEAL) OPPORTUNITIES

This decision is subject to administrative review (appeal) pursuant to federal regulations at 36 CFR part 215. Individuals or organizations who provided comment or otherwise expressed interest in the proposed action during the comment period may appeal.

This decision is also subject to appeal under federal regulations at 36 CFR part 251 subpart C by term grazing permit holders or applicants (§251.86). However, term grazing permit holders or applicants must choose to appeal under either 36 CFR §251 or §215 but not both (§251.85). Notices of appeal that do not meet the content requirements of 36 CFR §215.14 or 36 CFR §251.90, as appropriate, will be dismissed. Names and addresses of appellants will become part of the public record.

Appeals Filed Under 36 CFR Part 215

Appeals filed under 36 CFR part 215 must be submitted (by regular mail) to: USDA Forest Service Region 2, Appeal Review Officer, 740 Simms Street, Golden, CO 80401 or (by fax) to 303-275-5134. The office business hours for those submitting hand delivered appeals are 7:30 a.m. to 4:30 p.m. Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message, rich text format (.rtf), or Word (.doc) to appeals-rocky-mountain-regional-office@fs.fed.us.

Appeals, including attachments, must be filed within 45 days from the publication date of notice of this decision in the Rapid City Journal, the newspaper of record. The publication date in the Rapid City Journal is the exclusive means for calculating the 45-day appeal period. Those wishing to appeal this decision should not rely upon dates or time-frame information provided by any other source.

To be eligible to appeal this decision on this project, an individual or group must have provided a comment or otherwise expressed interest in this project by the close of the comment period. The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

Appeals Filed Under 36 CFR Part 251 Subpart C

Appeals filed under 36 CFR part 251 subpart C (including attachments) must be in writing and submitted (by regular mail) to:

Reviewing Officer Jane Darnell
Forest Supervisor, Nebraska National Forests and Grasslands
125 North Main Street
Chadron, NE 69337

In addition a copy of the appeal must be submitted to:

Deciding Officer Mike McNeill
Fall River Ranger District
1801 Hwy 18 Truck Bypass
Hot Springs, SD 57747

Appeals may also be hand or express delivered to the addresses shown above. For those hand-delivering an appeal, office business hours are 8:00 a.m. through 4:30 p.m. Monday through Friday, excluding holidays. Appeals must be filed within 45 days following the date of the notice of the written decision (§251.88). An appellant under this subpart may request an oral presentation (§251.97) or request a stay of implementation of the decision pending decision on the appeal (§251.91). The notice of appeal must meet the appeal content requirements at 36 CFR 251.90.

IMPLEMENTATION DATE

Implementation of the selected alternative will occur under the authority of this ROD, subject to the appropriate appeal and implementation procedures cited above. Acreages and locations are approximate and may vary slightly during implementation depending on site-specific conditions.

Pursuant to 36 CFR part 215, if no appeal is filed within the 45-day period, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

Pursuant to 36 CFR part 251 subpart C, if no appeal is filed, implementation of this decision may occur on, but not before, 5 business days from the close of the appeal filing period. If an appeal is received, implementation may occur during the appeal process, unless the reviewing officer grants a stay (§251.91).

CONTACT

For additional information concerning this decision, contact Bob Novotny, ID team leader, or District Ranger Mike McNeill at (605) 745-4107.